

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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WILLIE C. SIMPSON,

Plaintiff,

v.

DALIA SULIENE and LORI ALSUM,

Defendants.  
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ORDER

08-cv-054-bbc

In an order entered on May 8, 2008, I granted plaintiff Willie Simpson's request for leave to proceed in forma pauperis on his Eighth Amendment claim that defendants Dalia Suliene and Lori Alsum are denying him treatment for pancytopenia. On June 25, 2008, plaintiff filed a motion for summary judgment on this claim.

It is too early in this case for plaintiff to move for summary judgment. Defendants filed their answer on June 9, 2008. They have had no opportunity to conduct discovery on plaintiff's claim. Therefore, I cannot require them to respond to plaintiff's motion for summary judgment at this time. On July 9, 2008, a preliminary pretrial conference is scheduled to be held in this case. At the conference, the magistrate judge will set a trial date and deadlines for conducting discovery and filing dispositive motions, such as motions for

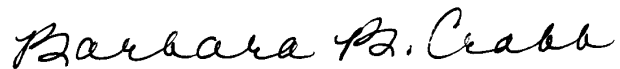
summary judgment. Plaintiff will be free to renew his motion in accordance with that schedule. For now, however, I must deny plaintiff's motion for summary judgment as premature.

ORDER

IT IS ORDERED that plaintiff Willie Simpson's motion for summary judgment is DENIED without prejudice to his refiling his motion in accordance with the schedule that will be set by the magistrate judge at the July 9, 2008 preliminary pretrial conference.

Entered this 27th day of June, 2008.

BY THE COURT:

A handwritten signature in black ink, reading "Barbara B. Crabb". The signature is written in a cursive, flowing style.

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BARBARA B. CRABB  
District Judge